

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey C. Herold
SERIAL NO.: 09/760,130
FILING DATE: January 12, 2001
TITLE: ERGONOMICALLY CONFIGURED SHOULDER STRAPS SYSTEM
EXAMINER: Not assigned
ART UNIT: Not assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 11-18-03

Name: Diane Morse
Diane Morse

**MAIL STOP PETITION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

The Applicant received a Notice of Termination of Proceedings Under 37 CFR 1.53(e) of this application mailed October 29, 2003. (A copy of the Notice is enclosed.) However, the Applicant does not believe that the application should have been abandoned and hereby petitions that the holding of abandonment be withdrawn for the following reasons.

The Notice of Termination indicates that the application was abandoned because the applicant failed to timely or properly reply to the Notice to File Corrected Application Papers mailed on February 26, 2001. However, the Applicant did in fact timely and properly reply by mailing 1) drawing figure 1.; 2) eight claims; 3) Abstract; and 4) a copy of the Notice. Enclosed

are copies of those documents with the certificate of mailing indicating that those documents were mailed to the PTO March 10, 2001.

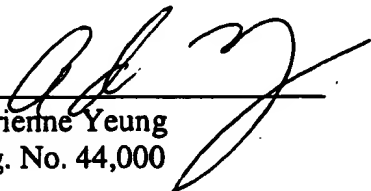
Accordingly the Applicant respectfully requests that the holding of abandonment be withdrawn and that examination of the application continue.

It is believed that no fee is required for filing the above-noted document. In the event any fee is required for filing of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-1698. A duplicate of this page is enclosed.

Respectfully submitted,

Thelen Reid & Priest LLP

Dated: November 17, 2003


Adrienne Yeung
Reg. No. 44,000

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/760,130		Jeffrey Herold	033905-014

CONFIRMATION NO. 2248

ABANDONMENT/TERMINATION
LETTER

OC000000011127094

Robert E. Krebs
 Thelen Reid & Priest LLP
 P.O. Box 640640
 San Jose, CA 95164-0640

Date Mailed: 10/29/2003

NOTICE OF TERMINATION OF PROCEEDINGS UNDER 37 CFR 1.53(e)

Proceedings on the above-identified application number are **TERMINATED**.

The application did not meet the requirements of 37 CFR 1.53(b), (c), or (d) to be entitled to a filing date, and the filing error(s) specified in the Notice mailed on 02/26/2001 were not timely corrected (37 CFR 1.53(e)).

The \$ 355 fee submitted with the application, less a \$130.00 handling fee, will be refunded or credited to your deposit account.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

In Re: Herold, J.

Serial Number 09/760,130

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 03/10/2001
Date


Signature

Joseph Page

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Missing Parts Transmittal

Figure 1

Abstract

Claims (8)

Copy of Notice

In the United States Patent and Trademark Office

Applicant : Herold, Jeffrey
5 Serial No. : 09/760,130
Filed : 01/12/2001
Title : " Ergonomically Configured Shoulder Straps System "

Date: March 10, 2001

10

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Missing Parts Transmittal

15

After receipt of Notice of Incomplete Nonprovisional Application mailed 02/26/2001, a review of the file copy in our office was made. It has been determined that an error, probably a result of a copier misfeed, left the submitted copy without claims, an abstract, and drawing figure #1. Please note that the notice omits notice regarding figure 1, but nevertheless, it appears to also be missing.

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Thus, submitted herewith are the claims (8), the abstract, and drawing figure 1. Please enter these into the file. Please further note that the original declaration was properly signed in view of the original eight claims and thus operates thereon with need for new declaration and no new declaration is being submitted.

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Please direct any questions to me as soon as possible so they can receive my immediate attention.

Respectfully submitted,



Joseph Page

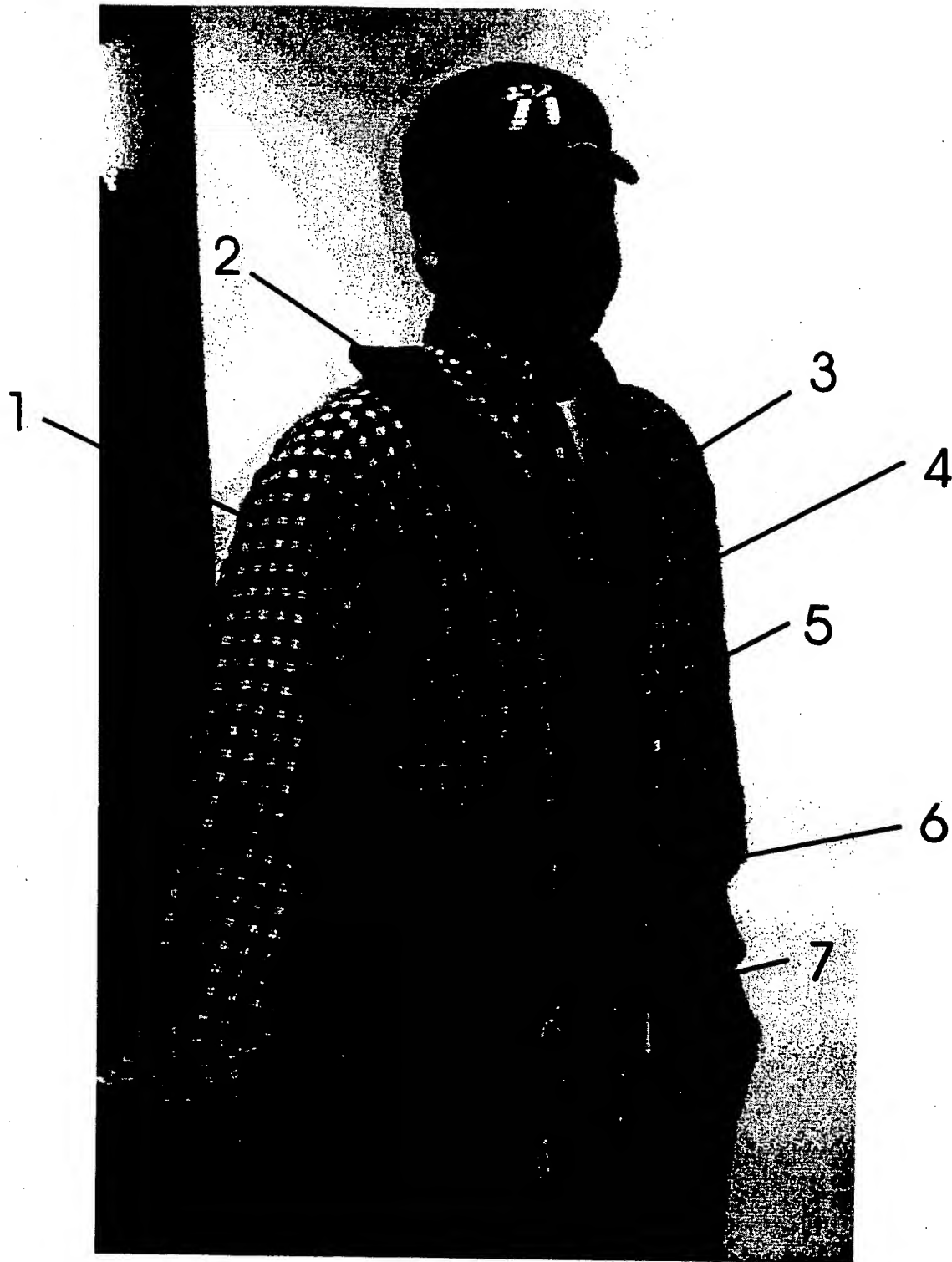


Fig. 1

In the United States Patent and Trademark Office

Applicant Jeffrey Herold

Title: "Ergonomically Configured Shoulder Straps System"

Abstract

A dual strap system comprises two straps arranged to cooperate with the human form in a manner whereby a heavy side load is easily and comfortably supported. One strap has a conventionally shaped pad while the other has a specially shaped pad configured with a view to the forces which are applied to it and in further view of the angle in which rests upon a shoulder. Together, these straps are affixed at a joint to form an apparatus which may be worn over both shoulders. Length adjustability is effected in view of the unique arrangement by way of four specially placed adjustment buckles. Maximum utility is realized by minor adjustments whereby one can support heavy loads in the form a bag or satchel type sack at a user's side.

Claims

- 1) A dual shoulder strap system for supporting loads at ones side comprising:
 - a) a proximal strap having two ends; and
 - b) distal strap having two ends,either of the two ends of the proximal strap being affixed to the distal strap in a position significantly away from the distal strap ends, whereby a shape is formed from a front-on view which may be described as a 'y' shape.
- 2) A dual shoulder strap system of claim 1, a flat portion of the strap approximates angles on shoulders near either side the neck.
- 3) A dual shoulder strap system of claim 1, said proximal strap and said distal strap further being comprised of a pad portion.
- 4) A dual shoulder strap system of claim 3, the pad of said proximal strap is curved.
- 5) A dual shoulder strap system of claim 4, said proximal strap is affixed to said distal strap at an angle to cause the strap surface to match the shoulder angle.
- 6) A dual shoulder strap system of claim 5, said straps are affixed to each other by sewing.
- 7) A dual shoulder strap system of claim 6, said straps have a sewn overlap for strength.
- 8) A dual shoulder strap system of claim 1, further comprising two adjustable buckles on the proximal strap before the ends.



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/760,130	01/12/2001	Jeffrey Herold	236.8

24734
PAGE LOHR ASSOCIATES
PO BOX 757
LA JOLLA, CA 92038



CONFIRMATION NO. 2248

FORMALITIES LETTER



OC000000005796955

Date Mailed: 02/26/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification does not include at least one claim.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*


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